

Docket No.: 239510US2/mca

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Katsushi IKEUCHI, et al.

SERIAL NUMBER: 10/602,600

GROUP: 2628

FILED: June 25, 2003

EXAMINER: Prendergast, Roberta D.

FOR: IMAGE PROCESSING APPARATUS, IMAGE PROCESSING METHOD, AND
IMAGE PROCESSING PROGRAM

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE
COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VA 22313-1450

SIR:

Applicants acknowledge with appreciation the indication of allowability of the claimed invention. In response to the Examiner's Statement of Reasons for Allowance in the Notice of Allowance of April 6, 2009, Applicants respectfully submit the following comments.

In the Examiner's Statement of Reasons for Allowance, page 3 of the Notice of Allowance states in part:

The following is an examiner's statement of reasons for allowance:

Referring to independent claims 1, 8 and 14 and dependent claims 3-7, 10-13 and 16-19, cited prior art does not teach an image processing apparatus, method and computer-readable medium comprising:

optically obtaining a plurality of first images by photographing an object to be rendered from a plurality of different directions, and optically obtaining second images that pertain to distance information of the object to be rendered;

generating a geometrical shape model of the object to be rendered on the basis of the second images using a plurality of voxels;

generating a plurality of microfacets as two dimensional elements that are each centered inside a voxel in a manner to approximate a three-dimensional shape of the geometrical shape model, wherein the width of each microfacet is calculated as equal to, or greater than, the square root of three times the width of each corresponding voxel;

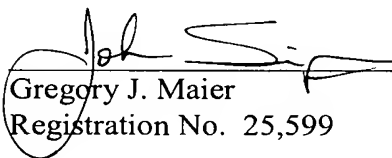
executing a billboarding process that rotates the plurality of microfacets to keep the plurality of microfacets substantially vertical to a view direction; and

generating a third image by selecting texture images for respective microfacets from the plurality of first images on the basis of the plurality of photographing directions and the view direction, and by projecting the selected texture images onto the microfacets.

Although the above comment appears to address Claim 8, it is respectfully noted that independent Claims 1 and 14 do not include this language. For example, these claims being directed to an apparatus and a computer program product, respectively, are not directed to a process as may be implied and/or inferred by the examiner's statement. Accordingly, it is respectfully submitted that the above-quoted statement does not apply to Claims 1 and 14 to the extent the language used in the statement differs from the language of the claims.

Respectfully Submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599

Customer Number

22850

Tel. (703) 413-3000
Fax. (703) 413-2220
(OSMMN 05/04)
993778_1.DOC

John Sipos
Registration No. 61,985